

Subpart E—Competitive Bidding Procedures for GWCS

§ 26.201 GWCS subject to competitive bidding.

Mutually exclusive initial applications to provide GWCS service are subject to competitive bidding procedures. The general competitive bidding procedures found in 47 CFR part 1, subpart Q, will apply unless otherwise provided in this part.

§ 26.202 Competitive bidding design for GWCS licensing.

(a) The Commission will employ the following competitive bidding designs when choosing from among mutually exclusive initial applications to provide GWCS service:

(1) Simultaneous multiple round auctions

(2) Sequential oral auctions

(b) The Commission may design and test alternative procedures. The Commission will announce by Public Notice before each auction the competitive bidding design to be employed in a particular auction.

(c) The Commission may use single combined auctions, which combine bidding for two or more substitutable licenses and award licenses to the highest bidders until the available licenses are exhausted. This technique may be used in conjunction with any type of auction.

§ 26.203 Competitive bidding mechanisms.

See § 1.2104 of this chapter.

[63 FR 56578, Oct. 22, 1998]

§ 26.204 [Reserved]

§ 26.205 Bidding application (FCC form 175 and 175-S short-form).

See § 1.2105 of this chapter.

[63 FR 56578, Oct. 22, 1998]

§ 26.206 Submission of upfront payments and down payments.

See § 1.2106 of this chapter.

[63 FR 56578, Oct. 22, 1998]

§ 26.207 Long-form applications.

Winning bidders will be required to submit a long-form application on FCC

form 601 within ten business days after being notified that they are the winning bidder. A single application for all winning markets must be filed. Applications on FCC Form 601 shall be submitted pursuant to the procedures set forth in Subpart G of this Part and § 1.2107(c) and (d) of this chapter and any associated Public Notices. Only auction winners will be eligible to file applications on FCC Form 601 for initial GWCS licenses in the event of mutual exclusivity between applicants filing Form 175.

[63 FR 68954, Dec. 14, 1998]

§ 26.208 License grant, denial, default, and disqualification.

See § 1.2109 of this chapter.

[63 FR 56578, Oct. 22, 1998]

§ 26.209 Eligibility for partitioned licenses.

(a) Notwithstanding § 26.102, an applicant that is a rural telephone company, as defined in § 26.4, may be granted a GWCS license that is geographically partitioned from a separately licensed EA, so long as the EA applicant or licensee has voluntarily agreed (in writing) to partition a portion of the license to the rural telephone company.

(b) If partitioned licenses are being applied for in conjunction with a license(s) to be awarded through competitive bidding procedures—

(1) The applicable procedures for filing short-form applications and for submitting upfront payments and down payments contained in this part and part 1 of this chapter shall be followed by the applicant, who must disclose as part of its short-form application all parties to agreement(s) with or among rural telephone companies to partition the license pursuant to this section, if won at auction (*see* § 1.2105(a)(2)(viii));

(2) Each rural telephone company that is a party to an agreement to partition the license shall file, either electronically via the ULS or with a paper form, a long-form application for its respective, mutually agreed-upon geographic area together with the application for the remainder of the Economic Area filed by the auction winner.

(c) If the partitioned license is being applied for as a partial assignment of